



COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

HEARING DATE: January 27, 2011
TIME: 10:05 a.m.
ITEM NO.: 1

TO: Planning Commission

FROM: Development Review Committee

SUBJECT: Conditional Use Permit (PCPM 20100150)
Vulcan - Consolidation of Use Permits and Addition of Recycled Asphalt
Pavement Plant Project
Mitigated Negative Declaration

COMMUNITY PLAN: Dry Creek/West Placer

PLAN DESIGNATION: Industrial

ZONING: IN-UP-Dc (Industrial, combining Use Permit required, combining Design Scenic Corridor)

STAFF PLANNER: Lisa Carnahan, Associate Planner

LOCATION: The project is located at 9800, 9801 and 9711 Del Road in the Roseville area.

ASSESSOR'S PARCEL NUMBERS: 474-120-007, -014, and -020

APPLICANT: Sean Harrigan on behalf of Vulcan Materials Company

PROPOSAL: The applicant requests approval of a Conditional Use Permit (CUP) which would consolidate and supersede two existing use permits on adjacent properties (CUP-1338 for a hot mix asphalt plant on parcel 474-120-007, and Minor Use Permit – 1973 for a concrete and asphalt recycle plant on parcel 474-120-014 and a portion of 474-120-020) and allow for a new Reclaimed Asphalt Pavement (RAP) Plant on an unused 3.4-acre portion of parcel 474-120-020. The proposal would also include the relocation of aggregate stockpiles from parcel 474-120-007 to the unused 3.4-acre area as well. (Please refer to Attachment A for an aerial view of the existing operations, use permits and Assessor's Parcel Numbers.)

CEQA COMPLIANCE:

A Mitigated Negative Declaration was prepared for the proposed project. The document was circulated for public review from November 26, 2010 through December 27, 2010. As of the date of this staff report, no comments have been received from the public. Staff recommends that the Planning Commission adopt the Mitigated Negative Declaration based on the findings contained within this staff report. A copy of the Negative Declaration is included as Attachment D.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. Other appropriate public agencies, interest groups, and citizens were sent copies of the public hearing notice. Community Development Resource Agency staff and the Departments of Engineering and Surveying, Public Works, Environmental Health, the Air Pollution Control District, and the West Placer Municipal Advisory Council (MAC) were transmitted copies of the project plans and application for review and comment. Comments received from County staff have been addressed in the analysis section of this report. Project recommendations from the West Placer MAC made at the January 12, 2011 MAC meeting are also presented in this report.

SITE CHARACTERISTICS:

The project site incorporates all three parcels (approximately 13.15 acres) and is located within the IN-UP-Dc (Industrial, Use Permit required, combining Design Scenic Corridor) zone district of Placer County. (Attachment B) The project site is adjacent to a concrete ready-mix facility, industrial warehouse, manufacturing plant and an auto wrecking businesses to the north and the Union Pacific Railroad Roseville Rail yard approximately 500 feet to the southeast. The closest residence is approximately one-half mile to the west. The topography of the area is relatively level, with a slight westwards slope towards an unnamed drainage course which is a tributary for Dry Creek. The majority of the site is already developed, and the 3.4 acre remaining portion to be incorporated was highly disturbed by the previous owner for sand and aggregate storage.

EXISTING LAND USE AND ZONING:

Location	Zoning	Existing Conditions and Improvements
Site	IN-UP-Dc	Hot mix asphalt plant on 474-120-007, concrete and asphalt recycle plant on 474-120-014 and a portion of 474-120-020. Unimproved, previously-disturbed land on the remaining 3.4-acre portion of 474-120-020.
North	IN-UP-Dc	Ready-mix concrete plant and industrial warehouse
South	M2 (Heavy Industrial, Sacramento County)	Undeveloped
East	M2 (General Industrial, City of Roseville)	General Industrial/UPRR Railyard
West	IN-UP-Dc/O	Undeveloped

BACKGROUND:

On February 1, 1990, the Zoning Administrator approved CUP-1338 which allowed the Industrial Asphalt Company to construct a hot mix asphalt plant on parcel 474-120-007. On April 27, 1992, the Board of Supervisors approved the addition of a sealcoat plant on the parcel without the need to modify CUP-1338. The sealcoat process provides sealant to existing asphalt surfaces. Industrial Asphalt Company later changed its name to Vulcan Materials Company.

In 1996, the Zoning Administrator approved Minor Use Permit (MUP)-1973 for the construction and operation of the asphalt and concrete recycling center on parcel 474-120-014. Then in September of 1998, the Zoning Administrator approved a modification to MUP-1973 which allowed stockpiling from the asphalt and concrete recycling center to expand onto the eastern 2.2-acre portion of parcel 474-120-020. Vulcan Materials Company purchased the parcels in May of 2008 and has been diligently working with the County to correct the violations from the previous owner.

PROJECT DESCRIPTION:

The applicant requests approval of a Conditional Use Permit to consolidate CUP-1338 and MUP-1973 into one Conditional Use Permit. This new Conditional Use Permit will supersede the previous two Use Permits. In addition, the applicant is requesting approval to add processing equipment for a Recycled Asphalt Pavement (RAP) Plant on to the remaining unused 3.4-acre portion of parcel 474-120-020 and to relocate aggregate stockpiles from parcel 474-120-007 to the 3.4-acre area as well.

The import/export hours of the concrete and asphalt recycle plant are proposed to be modified to 24 hours/day, 7 days/week to match the hot mix asphalt plant hours and the future RAP plant, while the processing hours for the recycle plant would be 7 am to 7 pm Monday through Saturday. The interior fencing and landscaping between the parcels would be removed so that the recycle plant, RAP plant and hot mix asphalt plant could function as a single operation. According to the applicant, the project will not result in any increase in overall throughput, on-site mobile equipment, or truck traffic. Since no new employees will be added, no additional parking stalls are required.

DISCUSSION OF ISSUES:**Land Use Consistency**

The existing uses of the project site as an asphalt plant and a recycle plant, along with the proposed addition of the Recycled Asphalt Pavement plant are consistent with the Industrial zoning of the site, the community plan designation as an industrial area and the surrounding industrial land uses.

Noise

An Environmental Noise Analysis was conducted by Bollard Acoustical Consultants on January 12, 2010, and a Supplement to the Environmental Noise Assessment was submitted on June 16, 2010. These analyses concluded that unmitigated, project-related noise exposure is expected to be approximately 76 dB Ldn on the western property line

and is dominated by operation of the existing asphalt plant. This noise exposure exceeds the allowable Placer County Noise Ordinance limit of 75 dB Ldn.

The January 12th Bollard report proposed to reduce this impact to less than significant with the implementation of an exhaust stack duct silencer at the asphalt plant. This mitigation effort would reduce the overall noise exposure at the west project boundary to 72 dB Ldn or less, which satisfies the Placer County Noise Ordinance limit. The applicant has added this mitigation measure as a part of the project description. No other mitigation measures are required for noise.

Project Vestment

This project partially consists of the consolidation of two previously-exercised use permits (CUP 1338 and MUP 1973). The proposed Conditional Use Permit will supersede both of those use permits and will result in one use permit which covers the two separate operations, as well as the addition of the Recycled Asphalt Pavement plant and relocation of stockpiles onto the western 3.4-acre portion of parcel 474-120-020. With the exception of the expansion onto parcel 474-120-020, it is staff's position that this Conditional Use Permit is considered exercised. Staff has drafted recommended language in condition of approval #64 in order to address the exercising of subsequent phased portions of the CUP.

DRY CREEK/WEST PLACER MUNICIPAL ADVISORY COMMITTEE (MAC):

The proposed project was presented to the Dry Creek/West Placer MAC as an action item on January 12, 2010. Following a short discussion of the project merits with County staff and the applicant's representative, the MAC voted 3-0 to recommend that the Planning Commission approve the project as proposed and made no additional recommendations.

RECOMMENDATION:

The Development Review Committee recommends that the Planning Commission **approve** this Conditional Use Permit (PCPM-20100150), subject to the following findings and attached modified conditions of approval.

FINDINGS:

CEQA:

The Planning Commission has considered the Mitigated Negative Declaration for the proposed Conditional Use Permit (PCPM-20100150), the staff report and all comments thereto, and hereby adopts the Mitigated Negative Declaration based upon the following findings:

1. The Mitigated Negative Declaration has been prepared as required by law.
2. There is no evidence in the record that the proposed addition of a Recycled Asphalt Pavement Plant to the already-existing uses of the hot mix asphalt plant and asphalt and concrete recycling center would have a significant effect on the environment.

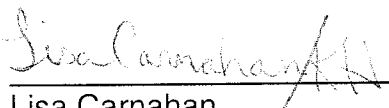
3. The Mitigated Negative Declaration as adopted for the Vulcan Recycled Asphalt Pavement Plant reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.
4. The custodian of records for the project is the Placer County Planning Department, 3091 County Center Drive, Auburn, CA 95603.

CONDITIONAL USE PERMIT:

Having considered the staff report, supporting documents and public testimony, the Planning Commission hereby finds that:

1. The proposed project is consistent with all applicable provisions of the Placer County Code, Chapter 17, and any applicable provisions of other chapters of this code.
2. The proposed project is consistent with applicable policies and requirements of the Placer County General Plan, and the Dry Creek/West Placer Community Plan.
3. The proposed project will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, nor will it be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County because no new or increased impacts will occur as a result of the addition of the Recycled Asphalt Pavement Plant.
4. The proposed use will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development.
5. The proposed project will not generate a volume of traffic beyond the design capacity of all roads providing access to the project.

Respectfully submitted,

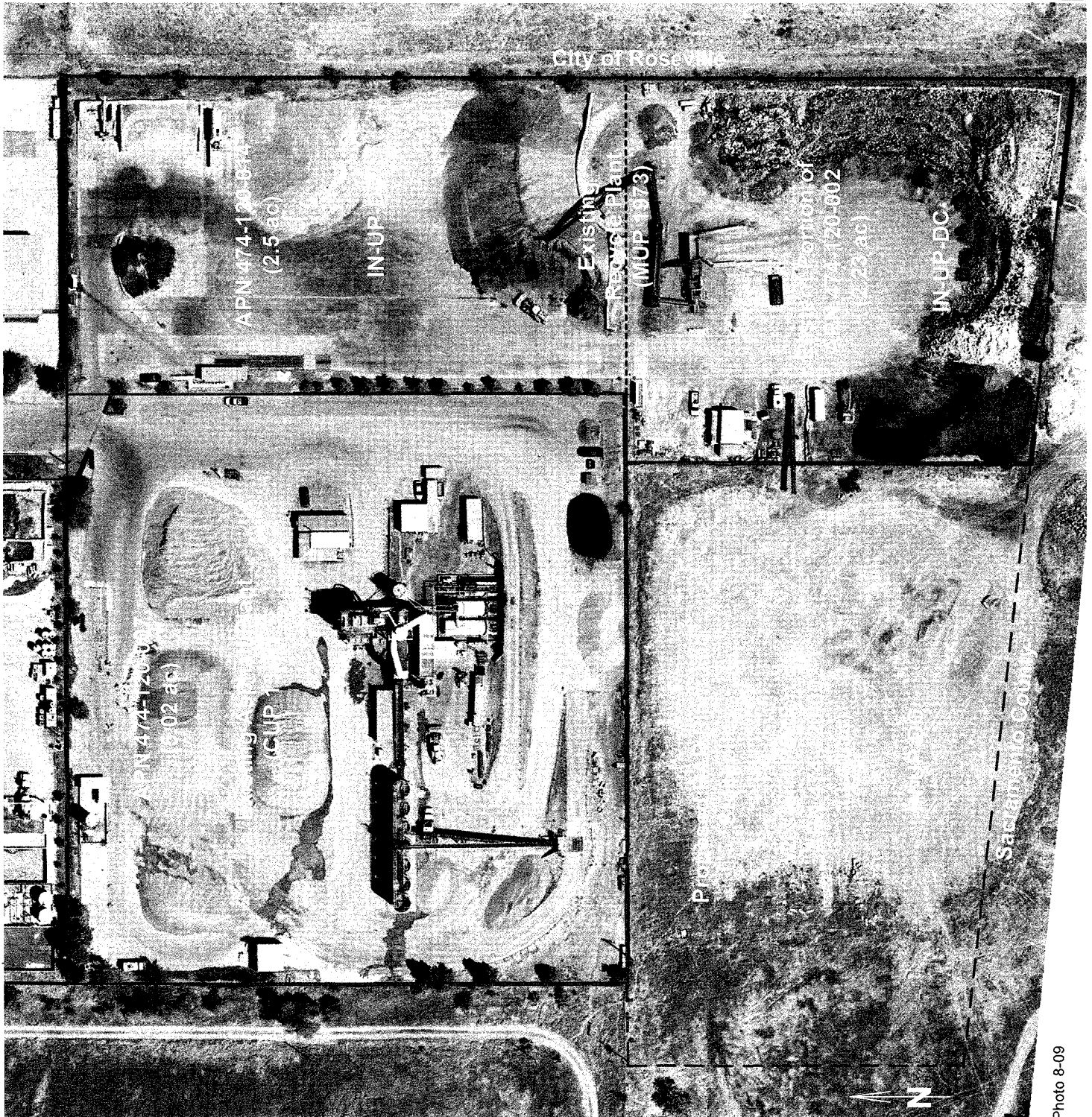


Lisa Carnahan
Associate Planner

ATTACHMENTS:

- Attachment A – Aerial of Existing Uses
- Attachment B - Vicinity Map and Site Plan
- Attachment C – RAP Addition Elevations
- Attachment D – Recommended Conditions of Approval
- Attachment E – Mitigated Negative Declaration

cc: Michael Johnson - Agency Director
Paul Thompson - Deputy Planning Director
Scott Finley - County Counsel's Office
Lisa Carnahan - Associate Planner
Phil Frantz - Engineering and Surveying Department
Laura Rath - Environmental Health Services
Angel Rinker - APCD
John Buada - Representative for the Applicant



Proposed RAP Plant and
 Stockpile Area
 Vulcan Materials Company
 9800 Dell Road, Roseville, CA
 Existing Permits, APN & Zoning

LIGHT SYSTEM	DESCRIPTION	ILLUMINANCE VALUE
A1	(1) 20' LIGHT POLES WITH 2 EACH 150 WATT METAL HALIDE LAMP PER POLE	77
A2	(1) 20' LIGHT POLES WITH 2 EACH 150 WATT METAL HALIDE LAMP PER POLE	77
B1	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	71.3 ¹
B2	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	71.3 ¹
C1	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	40.5 ²
C2	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	40.5 ²
D1	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	51.1 ³
D2	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	51.1 ³
E1	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	67
E2	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	67
F1	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	67
F2	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	67
G1	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	39 ⁴
G2	(1) 150 WATT METAL HALIDE LAMP ON 10' CANTILEVER SUPPORTED PIPE	39 ⁴

A detailed perspective architectural drawing of a proposed industrial facility at the end of a pier. The drawing shows various structures including Stockpiles, New Rap Plant, New Conveyor, Aggregate Silos, Baghouse, Asphalt Tank, New Truck Dismounted Scale, and a new addition for future use. Dimensions are provided for several key features: Stockpiles (10' wide), New Rap Plant (27' long), New Conveyor (48' long), Aggregate Silos (45' x 48'), Baghouse (32' x 34'), Asphalt Tank (34' x 36'), and the new addition (34' x 36'). A fence runs along the edge of the pier.

Diagram illustrating the layout of a stone processing plant, showing the flow of material from the unprocessed stockpile through the crushing plant, loader ramp, screening plant, and stacking conveyor, resulting in processed material, all enclosed by a fence.

ELEVATION B-B: LOOKING WEST TOWARDS EXISTING RECYCLE PLANT

[illegible]



**RECOMMENDED CONDITIONS OF APPROVAL –
CONDITIONAL USE PERMIT - "VULCAN HOT MIX ASPHALT
PLANT, RECYCLED ASPHALT PAVEMENT PLANT AND
ASPHALT & CONCRETE RECYCLING CENTER"
(PCPM 20100150)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. The project consists of a consolidation of two existing use permits (Conditional Use Permit 1338 for a hot mix asphalt plant on parcel 474-120-007, and Minor Use Permit 1973 for a concrete and asphalt recycle plant on parcel 474-120-014 and a portion of 474-120-020). In addition, the project adds processing equipment for a Recycled Asphalt Pavement (RAP) Plant on to the remaining unused 3.4-acre portion of 474-120-020 and relocates aggregate stockpiles from parcel 474-120-007 to the 3.4-acre area as well. The interior fencing and landscaping between the parcels will be removed so that the recycle plant, RAP plant and hot mix asphalt plant function as a single operation. The project is not expected to increase the overall throughput, on-site mobile equipment or truck traffic beyond that of the existing operations. This Conditional Use Permit supersedes both CUP 1338 and MUP 1973. The three parcels (13.15 acres) will be noted hereafter as the "Property".

This CUP allows a hot mix asphalt plant for producing asphaltic concrete on parcel 474-120-007 as shown on the approved site plan dated January 20, 2010. The use includes the mixing plants, aggregate storage in silos, oil storage, truck queue area, office, control room, asphalt tanks, quality-control lab and parts storage building and the construction of heated hot mix storage and loading silos and related circulation for loading. In addition, it allows for the construction and placement of equipment used for the production of Recycled Asphalt Pavement (RAP) Hot Mix Asphalt and the stockpiling of aggregates and unprocessed asphalt rubble on the western 3.4 acres of parcel 474-120-020.

This CUP also allows for an Asphalt and Concrete Recycling Facility on parcel 474-120-014 and a portion of 474-120-020, as shown on the approved site plan. The use includes a scale house, office, crushed miscellaneous base recycle plant and stockpile areas for concrete and asphalt rubble, and miscellaneous base. (PD)

IMPROVEMENTS/IMPROVEMENT PLANS

2. The project is subject to design review and approval by the Placer County Design/Site Review Committee. All D/SRC reviews shall be conducted prior to the approval of the improvement plans and prior to the issuance of building permits, and shall include, but not be limited to: architectural colors, materials, and textures of all structures; landscaping; irrigation; signs; exterior lighting; pedestrian and vehicular circulation; vehicle storage areas; fencing; noise attenuation barriers; trash enclosures, etc. This review shall specifically include the following in the design of the project:

A) Provide a 10' landscaped area along the entire property perimeter. This area shall include the planting of 15 gallon evergreen, drought tolerant, trees a minimum of 15' on center.

B) Provide landscaping at the project entrance.

C) Provide a chain link fence with slats along the entire perimeter of the property.

D) Provide an automated irrigation system for all landscaped areas. (PD)

3. The parking standard shall be one space for every 300 square feet of office space and one space for every 5,000 square feet of outdoor storage. (PD)

4. Construction noise emanating from any construction activities for which a grading plan/improvement plan, or building permit is required is prohibited on Sundays and Federal Holidays, and shall only occur: (PD)

Monday through Friday, 6:00 am to 8:00 pm (during daylight savings)

Monday through Friday 7:00 am to 8:00 pm (during non-daylight savings)

Saturdays, 8:00 am to 6:00 pm (Saturday work may be subject to availability of County staff).

Temporary signs (4 feet by 4 feet) depicting the above construction hours shall be located at key locations along the perimeter of the project, as determined by the DRC. Signs shall include a toll-free phone number that the public can call and report violations and the developer/builder will respond and resolve noise violations. This condition shall be included on the improvement/grading plans and in the Development Notebook.

5. The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in

effect at the time of submittal) to the Engineering and Surveying Department (ESD) for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on and off site. All existing and proposed utilities and easements, on site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees and Placer County Fire Department improvement plan review and inspection fees with the 1st Improvement Plan submittal. (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or Development Review Committee (DRC) review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD in both hard copy and electronic versions in a format to be approved by the ESD prior to acceptance by the County of site improvements.

Conceptual landscape plans submitted prior to project approval may require modification during the Improvement Plan process to resolve issues of drainage and traffic safety.

Any Building Permits associated with this project shall not be issued until, at a minimum, the Improvement Plans are approved by the Engineering and Surveying Department.

Prior to the County's final acceptance of the project's improvements, submit to the Engineering and Surveying Department two copies of the Record Drawings in digital format (on compact disc or other acceptable media) in accordance with the latest version of the Placer County Digital Plan and Map Standards along with two blackline hardcopies (black print on bond paper) and two PDF copies. The digital format is to allow integration with Placer County's Geographic Information System (GIS). The final approved blackline hardcopy Record Drawings will be the official document of record. **(MM)** (ESD)

6. The Improvement Plans shall show all proposed grading, drainage improvements, vegetation and tree removal and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) and Stormwater Quality Ordinance (Ref. Article 8.28, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the Development Review Committee (DRC). All cut/fill slopes shall be at a maximum of 2:1 (horizontal: vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department (ESD) concurs with said recommendation. Fill slopes shall not exceed 1.5:1 (horizontal: vertical)

The applicant shall revegetate all disturbed areas. Revegetation, undertaken from April 1 to October 1, shall include regular watering to ensure adequate growth. A winterization plan shall be

provided with project Improvement Plans. It is the applicant's responsibility to ensure proper installation and maintenance of erosion control/winterization before, during, and after project construction. Soil stockpiling or borrow areas, shall have proper erosion control measures applied for the duration of the construction as specified in the Improvement Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the Engineering and Surveying Department (ESD).

The applicant shall submit to the ESD a letter of credit or cash deposit in the amount of 110 percent of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body. **(MM)** (ESD)

7. The Improvement Plan submittal shall include a drainage report in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. "Best Management Practice" measures shall be provided to reduce erosion, water quality degradation, prevent downward migration into the soil of contaminated runoff, and prevent the discharge of pollutants to stormwater to the maximum extent practicable. **(MM)** (ESD)

8. Prior to Improvement Plan approval, the applicant shall obtain a State Regional Water Quality Control Board National Pollutant Discharge Elimination System (NPDES) construction stormwater quality permit and shall provide to the Engineering and Surveying Department evidence of a state-issued Waste Discharge Identification (WDID) number or filing of a Notice of Intent and fees. **(MM)** (ESD)

9. Prior to Improvement Plan approval, provide the Engineering and Surveying Department with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. A representative's signature from the appropriate fire protection district shall be provided on the Improvement Plans.

The emergency access road gate/connection to the parcel to the west (APN: 470-120-012) shall only be utilized for emergency purposes. (ESD)

10. The Improvement Plan submittal shall include a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall address and make recommendations on the following:

- A) Road, pavement, and parking area design;
- B) Structural foundations, including retaining wall design (if applicable);
- C) Grading practices;
- D) Erosion/winterization;
- E) Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.)
- F) Slope stability

Once approved by the Engineering and Surveying Department (ESD), two copies of the final report shall be provided to the ESD and one copy to the Building Services Division for its use. If the soils report indicates the presence of critically expansive or other soils problems that, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report shall be required for subdivisions, prior to approval of the Improvement Plans. It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. (Previously satisfied under MUP 1973/PN-7069) (MM) (ESD)

11. The Improvement Plans shall show that water quality treatment facilities/Best Management Practices (BMPs) shall be designed according to the guidance of the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and for Industrial and Commercial (or other similar source as approved by the Engineering and Surveying Department (ESD) such as the Stormwater Quality Design Manual for the Sacramento and South Placer Regions.

Construction (temporary) BMPs for the project include, but are not limited to: Fiber Rolls (SE-5), Straw Bale Barrier (SE-9), Straw Wattles, Silt Fence (SE-1), and revegetation techniques.

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or

other identified pollutants, as approved by the Engineering and Surveying Department (ESD). BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) BMPs for the project include, but are not limited to: Vegetated Swales (TC-30), Vegetated Buffer Strips (TC-31), etc. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Proof of on-going maintenance, such as contractual evidence, shall be provided to ESD upon request. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a monthly parking lot sweeping and vacuuming, and catch basin cleaning program shall be provided to the ESD upon request. Failure to do so will be grounds for discretionary permit revocation. Prior to Improvement Plan or Final Subdivision Map approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. **(MM)** (ESD)

12. The Improvement Plans shall include the message details, placement, and locations showing that all storm drain inlets and catch basins within the project area shall be permanently marked/embossed with prohibitive language such as "No Dumping! Flows to Creek." Or other language /graphical icons to discourage illegal dumping as approved by the Engineering and Surveying Department (ESD). ESD-approved signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, shall be posted at public access points along channels and creeks within the project area. The Property Owner association is responsible for maintaining the legibility of stamped messages and signs. (ESD)

13. This project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System (NPDES) Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. Best Management Practices (BMPs) shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's NPDES Municipal Stormwater Permit (State Water Resources Control Board NPDES General Permit No. CAS000004, Board Order 2003-005-DWQ) and shall be shown on the Improvement Plans. **(MM)** (ESD)

14. The Improvement Plans shall show that materials with the potential to contaminate stormwater that are to be stored outdoors shall be placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the stormwater conveyance system, or protected by secondary containment structures such as

berms, dikes, or curbs. The storage area shall be paved to contain leaks and spills and shall have a roof or awning to minimize collection of stormwater within the secondary containment area.

(ESD)

GRADING

15. Temporary construction fencing: The applicant/developer shall install a 4' tall, brightly colored (usually yellow or orange), synthetic mesh material fence (or an equivalent approved by the DRC) at the following location prior to any construction equipment being moved on site or any construction activities taking place (unless the work is being conducted within an already-fenced area): (PD)

A) At the limits of construction, within 50' of any grading, road improvements, underground utilities, or other development activity, or as otherwise shown on the improvement plans;

Said fencing and a note reflecting this condition shall be shown on the grading/improvement plans. (PD)

ROADS/TRAILS

16. The Improvement Plans shall show that all on-site parking and circulation areas shall be improved with a minimum asphaltic concrete or Portland cement surface capable of supporting anticipated vehicle loadings.

It is recommended that the pavement structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 2inch Aggregate Concrete (AC) over 4inch Class 2 Aggregate Base (AB) or the equivalent. (ESD)

17. All truck traffic with loaded or unloaded vehicles shall be prohibited from operating on the following Placer County roads (excepting local deliveries for projects on these segments where no other alternative access route is available): (ESD)

- A) PFE Road west of the Antelope Road intersection.
- B) Cook Riolo Road from Sacramento County to Baseline Road.
- C) Vineyard Road between Crowder Road and the Roseville City Limits.
- D) North-South traffic movements shall only be made on Watt Ave. and Walerga Road between Sacramento County and Baseline Road.

18. Improve Del Road from the project site to PFE Road to the following standard: 28' of pavement width. Road section to be based upon a T.I. of 8.0 but no less than 3" A.C. over 8" Class II aggregate base.

Existing pavement may remain in place and overlaid with 2" of asphalt concrete. (Previously satisfied with CUP 1338/PN-6344) (ESD)

JANUARY, 2011

19. No public access is permitted via Antelope Oaks Court. If a fire / emergency access road is constructed through the site to Antelope Oaks Court, a fire department approved emergency gate will be installed and kept closed at all times. A sign will be placed on the gate, "For Emergency Vehicles Only". During the Improvement Plan process the fire department will be contacted to determine if the access road will be required. If the road is required, the fire department will be asked to specify their requirements.

The existing emergency access gate/connection to the parcel to the west (APN: 470-120-012) shall only be utilized for emergency purposes.

GENERAL DEDICATIONS / EASEMENTS

20. On the Improvement Plans, provide the following easements/dedications to the satisfaction of the Engineering and Surveying Department (ESD) and the Development Review Committee (DRC). (ESD)

A) Meandering drainage easements as appropriate. (ESD)

CULTURAL RESOURCES

21. If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site construction activities, all work must stop immediately in the area and a County approved professional archaeologist shall be retained to evaluate the deposit. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s).

If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the improvement plans for the project.

Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site. (PD)

22. In the event that paleontological resources are discovered, work shall cease immediately and a professional paleontologist shall be retained to develop and implement a plan for managing paleontological resources and periodic monitoring of grading activities. The plan shall also include provisions for salvaging fossils, as necessary. The plan shall also include the timing and extent of monitoring needed. A copy of the plan shall be provided to the Placer County Planning Department prior to any grading continuing. (PD)

FEES

23. This project is subject to the one-time payment of drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Chapter 15, Article 15.32, Placer County Code.) The current estimated development fee is \$1,718 per acre, payable to the Engineering and Surveying Department prior to Building Permit issuance. The fees to be paid shall be based on the fee program in effect at the time that the application for any new phase is deemed complete. (ESD)

24. This project is subject to payment of annual drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Chapter 15, Article 15.32, Placer County Code). Prior to Building Permit issuance for any new phase, the applicant shall cause the subject property to become a participant in the existing Dry Creek Watershed County Service Area for purposes of collecting these annual assessments. The current estimated annual fee is \$236. (ESD)

25. Prior to issuance of any Building Permits, this project shall be subject to the payment of traffic impact fees that are in effect in this area (Dry Creek), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) shall be required and shall be paid to Placer County DPW:

- A) County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code
- B) South Placer Regional Transportation Authority (SPRTA)
- C) Placer County / City of Roseville JPA (PC/CR)

The current estimated fee is \$4,890 per DUE. The fees are calculated using the information supplied. If the use or the square footage changes, then the fees will change. The fees to be paid shall be based on the fee program in effect at the time that the application is deemed complete. (ESD)

26. This project is subject to the Fish and Game of \$50 upon approval of this project for the recordation of a Notice of Determination.

NOISE

27. Noise levels shall not exceed 75 dB Ldn at the property line. Noise reduction shall be a consideration given in plant design to ensure noise level compliance. (PD)

28. An exhaust stack duct silencer at the asphalt plant bag-house shall be installed within 120 days of CUP approval in order to reduce the overall noise exposure at the west project boundary line to 72 dB Ldn or less. (PD)

ENVIRONMENTAL HEALTH

29. The project shall obtain the appropriate Industrial Storm Water Discharge Permit and Storm Water Pollution Prevention Plan with the California Regional Water Control Board.

30. Any future land use designation or change in project description may require a review of historic orchard and industrial uses.

31. Prior to final occupancy approval, the property owner/applicant shall submit: A Hazardous Materials Project/Business Activities Screening Form shall be submitted to the EHS Technician, for review and approval. "Hazardous" materials, as defined in Health and Safety Code Division 20, Chapter 6.95, Articles 1 & 2, shall not be allowed on any premises in regulated quantities without notification to EHS. **(EHS)**

32. The discharge of fuels, oils, or other petroleum products, chemicals, detergents, cleaners, or similar chemicals to the surface of the ground or to drainage ways on, or adjacent to the site is prohibited. **(EHS)**

33. If Best Management Practices are required by the Engineering and Surveying for control of urban runoff pollutants, then any hazardous materials collected during the life of the project shall be disposed of in accordance with all applicable hazardous materials laws and regulations. **(EHS)**
eh34

34. Prior to the start of operation, please note that if at any time during the course of constructing the proposed project, evidence of soil and/or groundwater contamination with hazardous material is encountered, the applicant shall immediately stop the project and contact the Environmental Health Services Hazardous Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of Environmental Health Services and the Central Valley Regional Water Quality Control Board. **(EHS)**

35. Placer County Code Chapter 8, Article 8.24 provides that Industrial and other non-domestic wastes shall not be disposed of in the on-site sewage disposal system at any time. **(EHS)** eh20

36. Submit to the Environmental Health Services a "will-serve" letter from the franchised refuse collector for weekly or more frequent refuse collection service.

37. The project shall connect to a potable water and irrigation supply consistent with the environmental document, or otherwise approved by Environmental Health Services. Within 90

days of public treated water becoming legally and physically available to the property, the project shall abandon other water services and connect to public treated water.

Reclaimed wastewater shall not be used for any portion of this project.

The restroom and water use on the site shall be limited to on site employees.

38. The project must legally connect to public sewer within 90 days of public sewer becoming legally and physically available to property. At the time of public sewer connection the existing septic systems and holding tank shall be properly abandoned per code.

39. Submit to Environmental Health Services, for review and approval, a water quality analysis report on water from the existing well on parcel 474-120-007. The report must be prepared by a State Certified laboratory and include at minimum: Bacteriology: Total coliform, fecal coliform and chlorine residual. (Completed)

40. The holding tank on parcel 474-120-014 shall be inspected annually by Environmental Health Services.

41. The septic tank serving parcel 474-120-007 shall be evaluated by a licensed septic tank pumper, who shall submit to the Environmental Health Services for review and approval, a report of its capacity, structural condition, materials (e.g., concrete, redwood, metal, fiberglass, etc.) and the necessity for pumping. (Completed)

In lieu of having the tank evaluated at this time, the applicant may submit proof that the septic tank has been pumped within the last three (3) years. Other report information listed above is still required.

AIR POLLUTION

42. Prior to construction, the operator/applicant shall obtain approval by the Placer County Air Pollution Control District to modify the APCD permit (CALM-91-01) in order to allow for the addition of Recycled Asphalt Pavement (RAP) plant equipment and to allow for the recycling or reclamation of asphalt products.

Mitigation Measures

43. A) Prior to approval of Grading or Improvement Plans, (whichever occurs first), on project sites greater than one acre, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD. The applicant shall not break ground prior to receiving APCD approval, of the Construction Emission / Dust Control Plan, and delivering that approval to the local jurisdiction issuing the permit.

B) Include the following standard note on the Grading Plan or Improvement Plans: The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower of greater) that will be used in aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the APCD prior to the new equipment being utilized. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.

C) Prior to approval of Grading or Improvement Plans, whichever occurs first, the applicant shall provide a written calculation to the Placer County APCD for approval by the District demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction as required by CARB. . Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The following link shall be used to calculate compliance with this condition and shall be submitted to the Placer County APCD as described above: <http://www.airquality.org/ceqa/> (click on the current "Roadway Construction Emissions Model").(APCD)

44. A) In order to control dust, operational watering trucks shall be on site during construction hours. In addition, dry, mechanical sweeping is prohibited. Watering of a construction site shall be carried out in compliance with all pertinent APCD rules (or as required by ordinance within each local jurisdiction). (APCD)

B) Include the following standard note on the Improvement/Grading Plan: The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. (*Based on APCD Rule 228 / section 401.5*) (APCD)

C) Include the following standard note on the Improvement/Grading Plan: The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site. *(Based on APCD Rule 228 / section 401.1, 401.4) (APCD)*

45. Include the following standard note on the Improvement/Grading Plan: During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less. *(Based on APCD Rule 228 / section 401.5) (APCD)*

46. Include the following standard note on the Improvement/Grading Plan: The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties. *(Based on APCD Rule 228) (APCD)*

47. Include the following standard note on the Improvement/Grading Plan: In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction). *(Based on APCD Rule 228 / section 402) (APCD)*

48. Include the following standard note on the Improvement/Grading Plan: The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed Placer County APCD Rule 228 Fugitive Dust limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD and the equipment must be repaired within 72 hours. *(Based on APCD Rule 228) (APCD)*

49. Include the following standard note on the Improvement/Grading Plan: Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours. *(Based on APCD Rule 202) (APCD)*

50. Include the following standard note on the Improvement/Grading Plan: A person shall not discharge into the atmosphere volatile organic compounds (VOC's) caused by the use or manufacture of Cutback or Emulsified asphalts for paving, road construction or road maintenance, unless such manufacture or use complies with the provisions of Rule 217. *(Based on APCD Rule 217). (APCD)*

51. Include the following standard note on the Improvement/Grading Plan: During construction the contractor shall utilize existing power sources (e.g., power poles) or clean fuel (i.e. gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators. **(APCD)**
52. Include the following standard note on the Improvement/Grading Plan: During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment. **(APCD)**
53. Include the following standard note on the Improvement/Grading Plan: Processes that discharge 2 pounds per day or more of air contaminants, as defined by Health and Safety Code Section 39013, to the atmosphere may require a permit. **Permits may be required for both construction and operation.** Developers/contractors should contact the District prior to construction and obtain any necessary permits prior to the issuance of a Building Permit. *(Based on the California Health & Safety Code section 39013: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=39001-40000&file=39010-39060>)*

MISCELLANEOUS CONDITIONS

54. A maximum of 11 employees per day is allowed for the entire operation. (PD)
55. Hours of operation for the operation shall be as follows:
- a. Hot Asphalt Mix Plant and RAP Plant– 24 hours/day 7 days/week
 - b. Asphalt & Concrete Recycling Center –
 - i. Import/export operations- 24 hours/day 7 days/week
 - ii. Processing – 7 am to 7 pm Monday through Saturday. (PD)
56. This permit does authorize the storage of asphalt for recycling purposes. (PD)
57. This permit does not authorize the storage or maintenance of material delivery or pick up trucks. The only vehicles to remain onsite shall be three loaders, two water trucks, an excavator, a sweeper truck, a skip loader, a fork lift and a man lift. (PD)
58. The maximum height of any aggregate material stored outside of a silo shall be 25'. (PD)
59. In accordance with the original condition of approval from CUP 1338, the height limit of all structures on the property is limited to 76' provided that 1 additional foot of setback is applied to every foot that the structure is over height (41' in excess of the height requirement).
- Front – 56' from the edge of the Del Road easement.
 - Sides – Minimum of 46' on one side with a combined setback of 97'.

Rear – 56' from the edge of the Antelope Oaks Court easement. (PD)

60. All perimeter fencing and landscaping shall be installed within 90 calendar days of completion of grading and drainage infrastructure on the west 3.4-acre portion of parcel 474-120-020.

61. A gate, with a break-away lock approved by the local fire district shall be required at the access area to the emergency access road. (Completed)

62. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as Vulcan Recycled Asphalt Pavement Plant (the Project). The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. (CC)

63. The Improvement Plans shall include a note stating that: During project construction, staking shall be provided pursuant to Section 5-1.07 of the County General Specifications. (ESD)

EXERCISE OF PERMIT

64. The project is approved as a phased project with the current phase proposed to be the relocation of the stockpile area. The DRC shall determine when any of the preceding conditions apply to a given phase of development where such timing is not specified in the condition. (ESD)

65. With the exception of the expansion onto the western 3.4-acre portion of parcel 474-120-020, this Conditional Use Permit is considered exercised. The applicant shall have 36 months from the date of approval to install perimeter fencing and landscaping and have those improvements accepted by the County as complete. Unless exercised, approval for expansion onto the western 3.4-acre portion of parcel 474-120-020 shall expire on February 6, 2014. The applicant

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shall have 10 years from approval of this Conditional Use Permit to obtain final approval from the County on the building permit for the Recycled Asphalt Pavement Plant. If the Recycled Asphalt Pavement Plant is not installed within 10 years of this CUP approval, a modification of CUP 20100150 will be necessary and further environmental review may be warranted.